

BellSouth Telecommunications, Inc.  
Legal Department  
1600 Williams Street  
Suite 5200  
Columbia, SC 29201

patrick.turner@bellsouth.com

Patrick W. Turner  
General Counsel-South Carolina

803 401 2900  
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July 12, 2006

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code  
Denial in the Columbia Rate Center  
Docket No.

Dear Mr. Terreni:

Enclosed for filing are an original and one (1) copy of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Columbia Rate Center in the above-captioned matter. This document is an exact duplicate of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,



Patrick W. Turner

PWT/sgm  
Attachment  
DM5 640974

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S  
PETITION REQUESTING THE COMMISSION'S  
INTERVENTION IN NANPA NXX CODE  
ASSIGNMENTS

)  
) DOCKET NO. 2006-187-C  
)  
)

PETITION FOR REVIEW OF NXX CODE DENIAL  
IN THE COLUMBIA RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 803 area code. The denial that is the subject of this Petition impacts BellSouth customer School District 5 of Lexington & Richland Counties.

In support of this petition BellSouth states:

1. BellSouth is a telecommunications utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Columbia exchange.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization (“FCC 00-104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶ 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant’s existing number inventory within the applicant’s serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer’s request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a “rate center” basis from a switch basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow “carriers to obtain numbering resources in response to specific customer demands.” FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also required carriers to meet a rate center utilization threshold of 60 percent in

order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about June 19, 2006, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of three consecutive one-thousand number blocks in the Columbia Dutch Fork, South Carolina Central Office. These numbers are needed to meet the numbering demands of Lexington District 5 Schools. This customer is requesting additional telephone numbers for use with Primary Rate ISDN (PRI) service to be installed at its new elementary school being constructed at 1 River Bottom Road, Irmo, South Carolina. This school is expected to open in August 2006. Additionally the School District needs these numbering resources to convert service at its 23 existing schools to Voice over Internet Protocol service. As BellSouth does not have existing numbers to meet the customer's request, these three consecutive one-thousand numbers with the same NXX are needed. If such blocks are not available in existing NXXs in the Dutch Fork Central Office, then a new NXX needs to assigned. Exhibit A is a copy of the customer's letter dated June 26, 2006.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Columbia Rate Center had an MTE of 76.05 months and a utilization of 73.39% (Exhibit B).

10. Thereafter, also on June 27, 2006, NANPA's Central Office Code Administration denied BellSouth's request because BellSouth had not met the rate center based percent utilization criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied BellSouth's code requests despite the fact that BellSouth does not have adequate numbering resources needed to satisfy this customer's demands in the Columbia Rate Center. NANPA's response is also included as Exhibit C.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the 3000 consecutive numbers needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.<sup>1</sup> NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state

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<sup>1</sup> BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

regulatory commission”); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 (“Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body”).

13. Prior to the FCC’s Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider’s inventory did not have a block of sequential numbers large enough to meet the customer’s specific request. Under today’s procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief “if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.” FCC 01-362, ¶ 64. In addition, the FCC has ruled that, “States...may grant requests for customers seeking contiguous block of numbers.” Id.

14. BellSouth requests that the Commission reverse NANPA’s decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA’s decision to withhold numbering resources from BellSouth interferes with BellSouth’s ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth’s request for numbering resources would not materially impact exhaustion of the remaining NXXs in the 803 area code.

15. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

**WHEREFORE**, BellSouth requests that the Commission:

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide 3000 consecutive numbers for the Columbia Dutch Fork Wire Center and, if necessary to accomplish this, assign a new NXX in this wire center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 12<sup>th</sup> day of July, 2006.



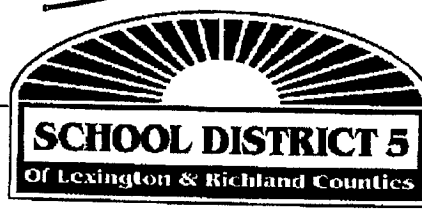
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Patrick W. Turner  
Suite 5200  
1600 Williams Street  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY FOR BELL SOUTH  
TELECOMMUNICATIONS, INC

# EXHIBIT A





June 26, 2006

Robin Olds  
South Carolina State Government Account Manager  
BellSouth Business  
1600 Williams St., STE 3600  
Columbia, SC 29201

Subject: Block of 2500 telephone numbers - PRI

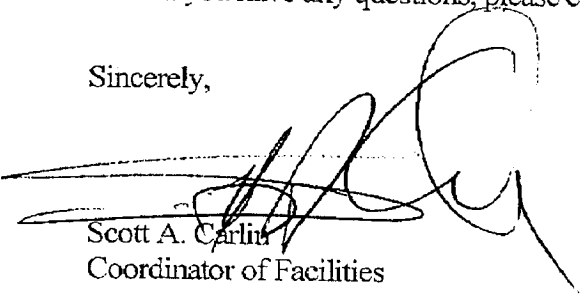
Sir:

This is our official request to establish our own exclusive list of telephone numbers (at least 2500 individual numbers) as part of the Primary Rate ISDN (PRI) service.

We request that this service be activated to begin at the new elementary school being constructed at 1 River Bottom Rd., Irmo SC 29063, and expected to open for use in August of 2006.

Should you have any questions, please contact me at 803-732-8011.

Sincerely,



Scott A. Carlin  
Coordinator of Facilities

# EXHIBIT B

# Jeopardy Analysis - Rate Center View

RC	RC ST	CLL EXH	RCEXH	TOT	UNAV	AVAIL	%AVAIL	MTE	MTE THR	%UTIL	UTIL THR	ELIG
COLUMBIA	SC	11	79	860999	698184	143679	18	60.5	6	68.02	65	

## TN Utilization Report (NRUF U1)

ASGN	INTM	RSVD	AGNG	ADMIN	AVAIL	INST	%UTILIZ
COLUMBIA	585,668	62,955	1,785	27,591	143,679	860,999	73.39%
Surface Sum	585,668	62,955	1,785	27,591	143,679	860,999	

## Inward Activity History

RANGE	TOT	INST	TOT AVG	INST AVG
12/2005 to 03/2006	38,782	516,594	6464	860,999
TOT	INST			
2005/12	5,964	860,999		
2006/01	6,666	860,999		
2006/02	6,019	860,999		
2006/03	6,096	860,999		
2006/04	7,027	860,999		
2006/05	7,010	860,999		
Surface Sum	38,782	5,165,994		

GROWTH	AVG. GRWTH	AVAIL	MTE
1,375	1,889	143,679	76.05
1,701			
2,074			
954			
2,732			
2,499			
11,335			

# EXHIBIT C


Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites

Address <https://www.nationalpooling.com/pas/frames-index.jsp> Go Links

Google Search 8 blocked Check AutoLink AutoFill Options



**Pooling Administration System**

delores a pearson@bridge.bellsouth.com (SP) Sign Out

**Request Resources**

State: SOUTH CAROLINA  
 NPA: 803  
 Rate Center: COLUMBIA  
 OCN: 9417-BELLSOUTH SO BELL  
 Type of Application: Application for Individual Blocks  
 Quantity of Blocks Requested: 3

Continue Cancel

NOTE:  
 If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Request For Resources  
 Modify  
 Disconnect  
 Block Transfer  
 Confirm Block(s) in Service  
 Search Forms  
 Submit Forecast  
 Create/Modify Forecast  
 User Profile  
 Donate Blocks  
 Reports

Question? Email to...  
 © 1999-2000 National Pooling, Inc.  
 Legal Notices Privacy

Internet

## Type of Application : New

### 1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

#### Block Applicant :

Company Name **BELLSOUTH SO BELL**

Headquarters Address: **3535 COLONNADE PKWY**

City: **BIRMINGHAM**

State: **AL**

Zip: **35243**

Contact Name **Ms DELORES A PEARSON**

Contact Address **3535 COLONNADE PKWY**

City **BIRMINGHAM**

State **AL**

Zip **35243**

Telephone **(205) 968-8719**

Fax **(205) 977-3013**

E-mail **delores.pearson@bellsouth.com**

#### Pooling Administrator :

Contact Name **Ms Dora Wirth**

Contact Address **1800 Sutter St. Ste. 780**

City **Concord**

State **CA**

Zip **94520**

Telephone **(925) 363-8706**

Fax **(925) 363-7684**

E-mail **dora.wirth@neustar.com**

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## 1.2 General Information

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LRN Needed <sup>ii</sup> **No**

NPA **803**

LATA \* **434**

OCN <sup>iii</sup> \* **9417-BELLSOUTH SO BELL**

Parent Company OCN \* **9417**

Number of Thousands-  
Blocks Requested **3**

Switch Identification  
(Switching Identity/POI) <sup>iv</sup> \* **clmascdf78e**

City or Wire  
Center Name

Rate Center <sup>v</sup> **COLUMBIA**

Rate Center  
Sub Zone

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## 1.3 Dates

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Date of Application <sup>vi</sup> **Tuesday, June 27, 2006**

Requested Block Effective Date **28** **Jul** **2006**

Request Expedited  
Treatment ☒ Yes ☐ No

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## 1.4 Type of Service Provider Requesting the Thousands-Block

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a) Type of Service  
Provider \* **Incumbent Local Exchange Carrier (ILEC)**

b) Primary type of service  
Blocks to be used for \* **Wireline**

c) Thousands-Block(s) (NPA-NXX-X)  
assignment preference  
Click here to see the available blocks in  
the pool.

NOTE: The blocks available list  
shows blocks that are available at the  
time a request is submitted. These  
same blocks may not be available at  
the time the request is processed.  
Therefore, it is recommended that  
you provide additional block  
preferences in the event those blocks  
are not available.

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

N/A

### 1.5 Type of Request

Initial block for rate center ☐ Yes

Growth block for rate center ☒ Yes


Change block N/A

Disconnect block N/A

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines (ATIS-0300066)

Continue

## Pooling Administration System

 delores a pearson@bridge.bellsouth.com (SP)

Sign Out

### Months to Exhaust and Utilization Certification Worksheet - TN Level<sup>1</sup>

Date **Tuesday, June 27, 2006**

OCN **9417**

Company Name **BELLSOUTH SO BELL**

Rate Center **COLUMBIA**

List all Codes NPA(s)-NXXs and Blocks  
NPA(s)-NXX-X(s)

Name of Block Applicant **Ms DELORES A PEARSON**

Title **SPECIALIST**

Telephone Number **(205) 968-8719**

Fax Number **(205) 977-3013**

E-Mail **delores.pearson@bellsouth.com**

A. Available Numbers \* 143679

B. Assigned Numbers \* 585668

C. Total Numbering Resources \* 798044

D. Quantity of numbers activated in the  
past 90 days and excluded from the  
Utilization calculation \* 0

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months<sup>2</sup> \*

Month 1	1375	Month 2	1701
Month 3	2074	Month 4	954
Month 5	2732	Month 6	2499

F. Forecast - Next 12 months<sup>3</sup> \*

Month 1	1889	Month 2	1889
Month 3	1889	Month 4	1889
Month 5	1889	Month 6	4889



Month 7	1889	Month 8	1889
Month 9	1889	Month 10	1889
Month 11	1889	Month 12	1889

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above )  
divided by 6)

**2389.000**

H. Months to Exhaust <sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	143679	60.142
2	144679	60.560
3	145679	60.979

I. Utilization<sup>5</sup>(Assigned Numbers (B)) / (Total Numbering Resources (C) -  
Excluded Numbers (D)) \* 100

**73.388**

Explanation



<sup>1</sup>A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

<sup>2</sup>Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

<sup>3</sup>Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

<sup>4</sup>To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).

<sup>5</sup>Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

## Pooling Administration System

delores a pearson@bridge.bellsouth.com (SP)

[Sign Out](#)

### Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Your utilization calculates to **73.388 percent**. The FCC requires a utilization of **75.000 percent**.

STATE OF SOUTH CAROLINA

)

)

COUNTY OF RICHLAND

)

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Review of NXX Code Denial in the Columbia Rate Center to be served by the method indicated below upon the following this July 12, 2005:

Thomas C. Foley  
NPA Relief Planner – Eastern Region NANPA  
NeuStar – NANPA  
820 Riverbend Blvd.  
Longwood, FL 32779-2327  
**(U. S. Mail)**

Ms. Kimberly Miller  
Regulatory Policy Attorney  
NeuStar  
2000 M Street, NW, Suite 600  
Washington, DC 20036-3328  
**(U. S. Mail)**

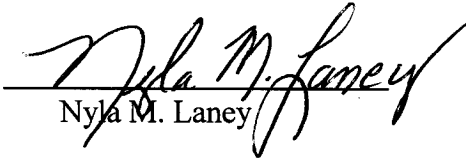
F. David Butler, Esquire  
General Counsel  
S. C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
**(U. S. Mail and Electronic Mail)**

Jocelyn G. Boyd, Esquire  
Staff Attorney  
S. C. Public Service Commission  
Post Office Box 11649  
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(PSC Staff)  
jocelyn.boyd@psc.sc.gov  
**(U. S. Mail and Electronic Mail)**

FILED  
2005 JUL 12 PM 2:11  
COLUMBIA, SC

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S.C. Public Service Commission  
Post Office Box 11649  
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(PSC Staff)  
**(U.S. Mail and Electronic Mail)**

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Nyla M. Laney

603054